

House File 347 - Reprinted

HOUSE FILE 347
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HSB 9)

(As Amended and Passed by the House March 17, 2015)

A BILL FOR

1 An Act relating to the licensure of child care programs
2 operated or contracted for by a school district or
3 accredited nonpublic school and including effective date
4 provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 237A.1, subsection 3, paragraph b, Code
2 2015, is amended by striking the paragraph.

3 Sec. 2. Section 279.49, subsection 1, Code 2015, is amended
4 by striking the subsection.

5 Sec. 3. Section 279.49, subsections 2 and 3, Code 2015, are
6 amended to read as follows:

7 2. The board of directors of a school corporation may
8 operate or contract for the operation of a program to provide
9 child care to children not enrolled in school or to students
10 enrolled in kindergarten through grade six before and after
11 school, or to both. Programs operated or contracted by a
12 board shall ~~either meet standards for child care programs~~
13 ~~adopted by the state board of education or shall~~ be licensed
14 by the department of human services under chapter 237A as a
15 child care center unless the program is exempt from licensure
16 under chapter 237A. A program operated by a board under
17 contract which is not located on property owned or leased
18 by the board must be licensed by the department of human
19 services. Notwithstanding requirements of the department of
20 human services regarding space allocated to child care centers
21 licensed under chapter 237A, a program operated or contracted
22 by a board which is located on school grounds may define
23 alternative spaces, in policy and procedures, appropriate to
24 meet the needs of children in the program if the primary space
25 is required for another use.

26 3. a. The person employed to be responsible for a program
27 operated or contracted by a board ~~that is not licensed by the~~
28 ~~department of human services shall be an appropriately licensed~~
29 ~~teacher under chapter 272 or shall meet other standards adopted~~
30 ~~by the state board of education~~ collaborate with that board in
31 the operation of that program.

32 b. An employee of a program operated or contracted by a
33 board shall be subject to a background investigation at least
34 once every five years after the employee's initial date of
35 hire.

1 Sec. 4. Section 280.3A, Code 2015, is amended to read as
2 follows:

3 **280.3A Accredited nonpublic school child care programs.**

4 Authorities in charge of an accredited nonpublic ~~schools~~
5 school may operate or contract for the operation of a child
6 care ~~programs, as defined~~ program, as described in section
7 279.49, ~~subsection 1~~. The provisions of section 279.49 as
8 they relate to child care programs of a school corporation and
9 its board of directors apply to the child care programs of the
10 accredited nonpublic school and the authority in charge.

11 Sec. 5. EFFECTIVE DATE AND IMPLEMENTATION. This Act takes
12 effect January 1, 2016, except that the department of human
13 services may begin implementation prior to January 1, 2016, to
14 the extent necessary to transition to full implementation of
15 the provisions of this Act.